

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MARK ANTHONY JULIAN #144887,

Plaintiff,

File no: 2:08-CV-93

v.

HON. ROBERT HOLMES BELL

UNKNOWN GAJEWSKI, et al.,

Defendants.

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that:

Plaintiff's complaint is hereby **DISMISSED** for failure to state a claim pursuant to 28 U.S.C. §§1915(e)(2) and 1915A(b), and 42 U.S.C. §1997e(c).

IT IS FURTHER ORDERED that this dismissal shall count as a strike for purposes of 28 U.S.C. §1915(g).

IT IS FURTHER ORDERED that the Court finds no good-faith basis for appeal

within the meaning of 28 U.S.C. §1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

Dated: August 12, 2008

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE